

AN ORDINANCE approving the awarding of Reference #5024 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and ETNA SUPPLY COMPANY, INC. for the Water Maintenance and Service Department.

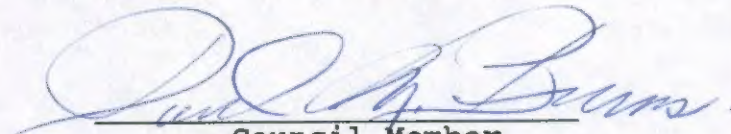
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #5024 between the City of Fort Wayne, by and through its Department of Purchasing and ETNA SUPPLY COMPANY, INC. for the Water Maintenance and Service Department, respectfully for:

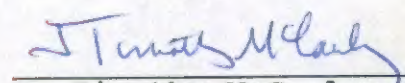
the purchase of copper pipe during 1992 for the Water Maintenance and Service Department;

involving a total cost of Twenty-Four Thousand One Hundred Eighty-Nine and 40/100+/- Dollars (\$24,189.40+/-), all as more particularly set forth in said Reference #5024 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

  
Council Member

APPROVED AS TO FORM  
AND LEGALITY

  
J. Timothy McCaulay, City Attorney



REFERENCE NO.:	5024
DEPARTMENT:	WATER MAINTENANCE
DATE:	11/26/91
ITEM/SERVICE:	COPPER PIPE
ADVERTISED BID:	YES
DATES ADVERTISED:	10/14/91 & 10/21/91
DATE OPENED:	11/4/91
WRITTEN QUOTE:	
DATE DUE:	
VERBAL QUOTE:	
SINGLE SOURCE:	
NO. OF VENDORS NOTIFIED:	7
NO. OF VENDORS RECEIVING BID:	6
NO. OF VENDORS RETURNING BID:	4
NO. OF VENDORS DISQUALIFIED:	1
NO. OF VENDORS NOT RESPONDING:	2
DATE SENT TO DEPT FOR RECOMM:	11/4/91
DATE RECOMM RECEIVED BACK:	11/8/91
DATE SENT TO LAW DEPARTMENT:	11/13/91
INTRODUCTION DATE:	11/26/91
DISCUSSION DATE:	12/3/91
PASSAGE DATE:	12/10/91

REFERENCE NO. 5025  
 COPPER PIPE  
 11/6/91.

DESCRIPTION	QTY	UNIT	TREATY COMPANY*	WAYNE PIPE	ETNA SUPPLY	CENTRAL SUPPLY
3/4" X 60'	10200	FT	\$1.162 \$11,852.40	\$1.07 \$10,914.00	\$1.05 \$10,710.00	DISQUALIFIED
3/4" X 100'	3100	FT	\$1.162 \$3,602.20	\$1.07 \$3,317.00	\$1.05 \$3,255.00	FORM 95 NOT
1" X 60'	3240	FT	\$1.475 \$4,782.24	\$1.36 \$4,406.40	\$1.34 \$4,341.60	PROPERLY FILLED
1" X 100'	2200	FT	\$1.475 \$3,247.20	\$1.36 \$2,992.00	\$1.34 \$2,948.00	OUT
1 1/2" X 20'	460	FT	\$2.231 \$1,026.26	\$2.57 \$1,182.20	\$2.54 \$1,168.40	
2" X 20'	460	FT	\$3.393 \$1,560.78	\$3.92 \$1,803.20	\$3.84 \$1,766.40	
TOTAL			\$26,071.08	\$24,614.80	\$24,189.40	

\*WILL ONLY HOLD PRICES UNTIL 11/30/91

CITY OF FORT WAYNE  
COPPER PIPE REQUIREMENTS

THE CITY OF FORT WAYNE, INDIANA, IS REQUESTING BIDS FOR THE PURCHASE OF COPPER PIPE FOR THE WATER MAINTENANCE & SERVICE DEPARTMENT.

ALL COPPER WATER SERVICE PIPE SHALL BE TYPE "K" COPPER WATER TUBE, MADE IN ACCORDANCE WITH THE LATEST REVISIONS OF ASTM SPECIFICATIONS B88 OR FEDERAL SPECIFICATIONS WW-T-799, AND SHALL HAVE THE TYPE DESIGNATION AND THE MANUFACTURERS NAME AND/OR SYMBOL STAMPED INTO THE OUTER SURFACE.

PRICES BID MUST BE EXACT AND HELD FIRM THROUGH THE TERM OF THE AGREEMENT. THERE SHALL BE NO ADDITIONAL CHARGES FOR DELIVERY, HANDLING OR ANY OTHER MISC. FEES.

TERM OF AGREEMENT: JANUARY 1, 1992 THRU APRIL 30, 1992

FOB: FORT WAYNE

PLEASE PRICE THE FOLLOWING COPPER PIPE-TYPE "K" SOFT

SIZE	QTY IN FT	UNIT COST / TOTAL
3/4" X 60 FT (ROLLS)	10200	1.05' / 10,710.00
3/4" X 100 FT (ROLLS)	3100	1.05' / 3,255.00
1" X 60 FT (ROLLS)	3240	1.34' / 4,341.60
1" X 100 FT (ROLLS)	2200	1.34' / 2,948.00
1 1/2" X 20 FT (LENGTHS)	460	2.54' / 1,168.40
2" X 20 FT (LENGTHS)	460	3.84' / 1,766.40
TOTAL:		24,189.40

PLEASE SEND BID RESULTS. SELF-ADDRESSED ENVELOPE ENCLOSED.



# THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

## Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we Etna Supply Company Inc.  
Grand Rapids, Michigan  
as Principal, hereinafter call the Principal, and Hartford Fire Insurance Company  
Hartford, Connecticut  
a corporation duly organized under the laws of the State of Connecticut  
as Surety, hereinafter called the Surety, are held and firmly bound unto  
City of Fort Wayne, Indiana  
as Obligee, hereinafter called the Obligee, in the sum of Five percent of amount of bid -----

----- Dollars (\$ --5%----- ),  
for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind  
ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these  
presents.

WHEREAS, the Principal has submitted a bid for

Supply Copper Tubing

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with  
the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or  
Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt  
payment of labor and materials furnished in the prosecution thereof, or in the event of the failure of the Principal to  
enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed  
the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good  
faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void,  
otherwise to remain in full force and effect.

Signed and sealed this 4th day of November 1991

Etna Supply Company Inc.

(Principal)

(Seal)

(Witness)

(Title)

Hartford Fire Insurance Company

(Surety)

(Seal)

*Audrey M. Carter*  
Audrey M. Carter (Witness)

*M. J. Long*  
(Title)

M.J. Long, Attorney in fact

# HARTFORD FIRE INSURANCE COMPANY

Hartford, Connecticut

## POWER OF ATTORNEY

Know all men by these Presents, That the HARTFORD FIRE INSURANCE COMPANY, a corporation duly organized under the laws of the State of Connecticut, and having its principal office in the City of Hartford, County of Hartford, State of Connecticut, does hereby make, constitute and appoint

420485

W. W. WARNER, RODNEY BLISS, III, M. J. LONG, WILLIAM W. WARNER,  
JOHN BEDNARZ and BRETT E. NARMAN of DES MOINES, IOWA

its true and lawful Attorney(s)-in-Fact, with full power and authority to each of said Attorney(s)-in-Fact, in their separate capacity if more than one is named above, to sign, execute and acknowledge any and all bonds and undertakings and other writings obligatory in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons holding places of public or private trust; guaranteeing the performance of contracts other than insurance policies; guaranteeing the performance of insurance contracts where surety bonds are accepted by states and municipalities, and executing or guaranteeing bonds and undertakings required or permitted in all actions or proceedings or by law allowed.

and to bind the HARTFORD FIRE INSURANCE COMPANY thereby as fully and to the same extent as if such bonds and undertakings and other writings obligatory in the nature thereof were signed by an Executive Officer of the HARTFORD FIRE INSURANCE COMPANY and sealed and attested by one other of such Officers, and hereby ratifies and confirms all that its said Attorney(s)-in-Fact may do in pursuance hereof.

This power of attorney is granted by and under authority of the following provisions:

(1) By-Laws adopted by the Stockholders of the HARTFORD FIRE INSURANCE COMPANY at a meeting duly called and held on the 9th day of March, 1971.

### ARTICLE IV

SECTION 8. The President or any Vice President, acting with any Secretary or Assistant Secretary, shall have power and authority to appoint, for purposes only of executing and effecting bonds and undertakings and other writings obligatory in the nature thereof, one or more Resident Vice-Presidents, Resident Assistant Secretaries and Attorneys-in-Fact and at any time to remove any such Resident Vice-President, Resident Assistant Secretary, or Attorney-in-Fact, and revoke the power and authority given to him.

SECTION 11. Attorneys-in-Fact shall have power and authority, subject to the terms and limitations of the power of attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company thereto any and all bonds and undertakings and other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested by one other of such Officers.

(2) Excerpt from the Minutes of a meeting of the Board of Directors of the HARTFORD FIRE INSURANCE COMPANY duly called and held on the 11th day of June, 1976:

RESOLVED: Robert N. H. Sener, Assistant Vice-President, shall have as long as he holds such office the same power as any Vice-President under Sections 8, 7 and 8 of Article IV of the By-Laws of the Company.

This power of attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Directors of the HARTFORD FIRE INSURANCE COMPANY at a meeting duly called and held on the 8th day of August, 1976.

RESOLVED, that whereas Robert N. H. Sener, Assistant Vice-President, acting with any Secretary or Assistant Secretary, has the power and authority, as long as he holds such office, to appoint by a power of attorney, for purposes only of executing and effecting bonds and undertakings and other writings obligatory in the nature thereof, one or more Resident Vice-Presidents, Assistant Secretaries and Attorneys-in-Fact;

Now, therefore, the signatures of such Officers and the seal of the Company may be affixed to any such power of attorney or to any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

In Witness Whereof, the HARTFORD FIRE INSURANCE COMPANY has caused these presents to be signed by its Assistant Vice-President, and its corporate seal to be hereto affixed, duly attested by its Secretary, this 18th day of March 1988.

Attest:

HARTFORD FIRE INSURANCE COMPANY

*Robert J. Mathieu*

Robert J. Mathieu  
Secretary



*Robert N. H. Sener*

Robert N. H. Sener  
Assistant Vice-President

STATE OF CONNECTICUT, }

COUNTY OF HARTFORD, }

On this 18th day of March, A.D. 1988, before me personally came Robert N. H. Sener, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Assistant Vice-President of the HARTFORD FIRE INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.

STATE OF CONNECTICUT, }

COUNTY OF HARTFORD, }

CERTIFICATE



*Jacqueline T. Derosi*

Jacqueline T. Derosi, Notary Public  
My Commission Expires April 1, 1993

I, the undersigned, Assistant Secretary of the HARTFORD FIRE INSURANCE COMPANY, a Connecticut Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force and has not been revoked; and furthermore, that the Resolutions of the Board of Directors, set forth in the Power of Attorney, are now in force.

Signed and sealed at the City of Hartford.

Dated the

4th

day of

November 19 91



*David A. Johnson*  
David A. Johnson  
Assistant Secretary



## BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)  
(Please type or print)

- Date: \_\_\_\_\_
1. Governmental Unit: \_\_\_\_\_
2. County: \_\_\_\_\_
3. Bidder (Firm): \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State: \_\_\_\_\_
4. Telephone Number: \_\_\_\_\_
5. Agent of Bidder (if applicable): \_\_\_\_\_

Pursuant to notices given, the undersigned offers bid(s) to \_\_\_\_\_ (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

Signature of Bidder or Agent

## BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

## NON-COLLUSION AFFIDAVIT

STATE OF INDIANA )  
                          ) SS:  
ALLEN COUNTY )

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

ETNA SUPPLY COMPANY

Bidder (Firm)

*Roger Potatoes* President  
Signature of Bidder or Agent

Subscribed and sworn to before me this 23RD day of OCTOBER, 19 91

My Commission Expires: 8/20/95  
County of Residence: KENT COUNTY, MI

*Richard A. Andresiak*  
Notary Public

RICHARD A. ANDRESIAK  
Notary Public Printed Name

## ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of \_\_\_\_\_ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered \_\_\_\_\_ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members:

Date: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Read the first time in full and on motion by Burns  
seconded by Redd, and duly adopted, read the second time  
title and referred to the Committee on City of Utilities (and the  
City Plan Commission for recommendation) and Public Hearing to be held aft  
due legal notice, at the Council Conference Room 128, City-County Building  
Fort Wayne, Indiana, on \_\_\_\_\_, the  
of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.

DATED: 11-26-91

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Redd  
seconded by Long, and duly adopted, placed on its  
passage. PASSED lost by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>			<u>2</u>
BRADBURY	<u>✓</u>			
BURNS				
EDMONDS	<u>✓</u>			<u>✓</u>
GIAQUINTA				
HENRY	<u>✓</u>			<u>✓</u>
LONG	<u>✓</u>			
REDD	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 12-10-91

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. S-308-91  
on the 10th day of December, 1991.

Sandra E. Kennedy ATTEST  
SANDRA E. KENNEDY, CITY CLERK

SEAL  
Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 11th day of December, 1991  
at the hour of 10:30 o'clock PM, E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 17th day of December  
1991, at the hour of 8:45 o'clock PM, E.S.T.

PAUL HELMKE  
PAUL HELMKE, MAYOR



DIGEST SHEET

TITLE OF ORDINANCE: Special

*S-91-11-57*

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Ref. No. 5024 for the purchase of copper pipe for the Water Maintenance and Service Department. The cost reflects the lowest and most responsive of four (4) vendors.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: This will be used for the installation of new services and repair/replacement of existing services.

IF REPLACEMENT, WHAT NECESSITATES: Leaking of old lead services that need to be relocated or replaced.

EFFECT ON NON-PASSAGE: Would not be able to install new services or repair existing services.

PRIOR APPROVAL REQUESTED: NO DATE:

MONIES INVOLVED: Etna Supply Company \$24189.40+/-

PRICE AGREEMENT: YES PURCHASE ORDER:

ACCOUNT INFORMATION: Water Maint. 513-523-W154-4221

BILL NO. S-91-11-57

REPORT OF THE COMMITTEE ON CITY UTILITIES

PAUL M. BURNS, CHAIRMAN  
CHARLES B. REDD, VICE CHAIRMAN  
EDMONDS, LONG, SCHMIDT

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the awarding  
of Reference #5024 by the City of Fort Wayne, Indiana, by  
and through its Department of Purchasing and ETNA SUPPLY  
COMPANY, INC. for the Water Maintenance and Service Department  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~) \_\_\_\_\_

DO PASS

DO NOT PASS

ABSTAIN

NO REC

*Paul M. Burns*  
*Charles B. Redd*  
*Edmonds*  
*Long*  
*Charles B. Redd*

DATED: 12-10-91

Sandra E. Kennedy  
City Clerk